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|   |   |    |   | Application Number       | 09/393,590              |
|   |   |    |   | Filing Date              | September 9, 1999       |
|   |   |    |   | First Named Inventor     | Elizabeth Moyer         |
|   |   |    |   | Art Unit                 | 1645                    |
|   |   |    |   | Examiner Name            | Sarvamangala J. N. Devi |
| Sheet   | 1 | Of | 4 | Attorney Docket Number   | 31242-701.201           |

| NON PATENT LITERATURE DOCUMENTS |                       |  |                |
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| Sh                              |                       | Appeal Brief dated April 3, 2006 to Technical Board of Appeal for European Patent No. 99 94 5649.4.  |                |
| Sh                              |                       | Roche Lexikon Medizin 5. Auflage (in German with English translation)<br><i>April 25, 2006</i>   | ✓              |
| Sh                              |                       | SHONE, et al. Monoclonal antibody-based immunoassay for type A Clostridium botulinum toxin is comparable to the mouse bioassay. Appl. Environ. Microbiol. 1985; 50(1):63-67.   |                |
| Sh                              |                       | EUTICK, Malvin L. Statutory Declaration dated March 23, 2006 for Australian Patent Application No. 58214/99 in the name of Solstice Neurosciences, Inc., entitled "Stable liquid formulations of Botulinum Toxin" and in the matter of opposition thereto by Allergan, Inc.    |                |
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| SH                              |                       | HALLIS, et al. Development of novel assays for botulinum type A and B neurotoxins based on their endopeptidase activities. J. Clin. Microbiol. 1996; 34(8):1934-1938.   |                |
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| SH                              |                       | EXHIBIT PM-1 (Resume of Philip Andrew Marshall) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.  |                |
| SH                              |                       | EXHIBIT PM-2 (Modern Pharmaceuticals by Banker, et al.) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.  |                |
| SH                              |                       | EXHIBIT PM-3 (Stability of Protein Pharmaceuticals by Ahern, et al.) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.   |                |
| SH                              |                       | EXHIBIT PM-4 (HEXSEL, et al. Comment on Multicenter, double-blind study of the efficacy of injections with botulinum toxin type A reconstituted up to six consecutive weeks before application. Dermatol. Surg. 2004; 30(5):823.) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.              |                |
| SH                              |                       | EXHIBIT PM-4 (MA, et al. Efficacy of reconstituted and stored botulinum toxin type A: an electrophysiologic and visual study in the auricular muscle of the rabbit. Plast. Reconstr. Surg. 2003;111(7):2419-26; discussion 2427-31 (Abstract)) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006. |                |

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| Sh                              |                       | EXHIBIT PM-4 (ALAM, et al. Pain associated with injection of botulinum A exotoxin reconstituted using isotonic sodium chloride with and without preservative: a double-blind, randomized controlled trial. Arch. Dermatol. 2002; 138(4):510-4 (Abstract)) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.             |                |
| Sh                              |                       | EXHIBIT PM-4 (KLEIN, A. W. Dilution and storage of botulinum toxin. Dermatol. Surg. 1998; 24(11):1179-80 (Abstract)) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.  |                |
| Sh                              |                       | EXHIBIT PM-4 (SLOOP, et al. Reconstituted botulinum toxin type A does not lose potency in humans if it is refrozen or refrigerated for 2 weeks before use. Neurology. 1997; 48(1):249-53 (Abstract)) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.  |                |
| Sh                              |                       | EXHIBIT PM-4 (MCLELLAN, et al. Therapeutic botulinum type A toxin: factors affecting potency. Toxicon. 1996; 34(9):975-85 (Abstract)) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.   |                |
| Sh                              |                       | EXHIBIT PM-4 (GARTLAN, et al. Crystalline preparation of botulinum toxin type A (Botox): degradation in potency with storage. Otolaryngol. Head Neck Surg. 1993; 108(2):135-40 (Abstract)) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.  |                |
| Sh                              |                       | EXHIBIT PM-5 (COFFIELD, et al. The site and mechanism of action of botulinum neurotoxin. In: <i>Therapy With Botulinum Toxin</i> . Edited by J. Jankovic and M. Hallett. New York: Marcel Dekker. 1994; p. 3-13.) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006.   |                |
| Sh                              |                       | EXHIBIT PM-5 (DASGUPTA, B. R. Structures of Botulinum Neurotoxin, Its Functional Domains, and Perspectives on the Crystalline Type A Toxin. In: <i>Therapy With Botulinum Toxin</i> . Edited by J. Jankovic and M. Hallett. New York: Marcel Dekker. 1994; p. 15-39.) referred to in the Statutory Declaration of Philip Marshall dated March 8, 2006. |                |

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| Sh                              |                       | Collin, P. H., et al. Saline. In Pons Fachworterbuch Medizin dictionary (p. 368).   |                |
| Sh                              |                       | Unsel, D. W. (1991). Saline. In Medical Dictionary of the English and German Languages (p. 280).  |                |
| Sh                              |                       | Urban & Schwarzenberg. Saline. In Roche Lexikon Medizin dictionary (p. 1400).   |                |
| Sh                              |                       | Walber de Gruyter. Saline. In Psychyrembel Klinisches Worterbuch dictionary (p. 1483).  |                |
| Sh                              |                       | Decision Revoking the European Patent No. 1112082 dated November 22, 2005 from the European Patent Office   |                |
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